BILL NO. Z-81-05-23

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3-B District under the terms of Chapter 33, The Code of the City of Fort Wayne, Indiana of 1974:

The North Ninety-Five (95) feet of Lot Numbered Three Hundred Fifty-One (351) in Hamilton's Fourth Addition to the City of Fort Wayne, Allen County, Indiana, and also Lot Three Hundred Fifty-Two (352) in Hamilton's Fourth Addition to the City of Fort Wayne, Allen County, Indiana,

and the symbols of the City of Fort Wayne Zoning Map No. M-3, referred to therein, established by Section 33-11 of said Chapter are hereby changed accordingly.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

Mark E. Giaquinta
COUNCILMAN

APPROVED AS TO FORM AND LEGALITY MAY 22, 1981.

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Gia Quintas seconded by Brier, and duly adopted, read the second time by title and referred to the Committee Republican (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____M.,E.S.T.

DATE: 6-2-81

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Gia Quintas, seconded by Eisbart, and duly adopted, placed on its passage. ~~PASSED~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	1	8			
BURNS		X			
EISBART	~~X~~	X			
GiaQUINTA		X			
NUCKOLS		X			
SCHMIDT, D.	X				
SCHMIDT, V.		X			
SCHOMBURG		X			
STIER		X			
TALARICO		X			

DATE: 7-14-81

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____.

ATTEST: (SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

_____
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____M.,E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock ____M.,E.S.T.

_____
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. Z-81-05-23

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-3

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO NOT PASS.

MARK E. GiaQUINTA, CHAIRMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

DONALD J. SCHMIDT

7-14-81 CONCURRED IN

DATE CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 June 1981

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held June 22, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-81-05-23

2. From R-3 to B-3-B

3. Intended Use: Addition to Spatt Heating & Plumbing Business

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   This petition conflicts with the LaRez Neighborhood Association Plan.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 2, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-05-23; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 15, 1981;

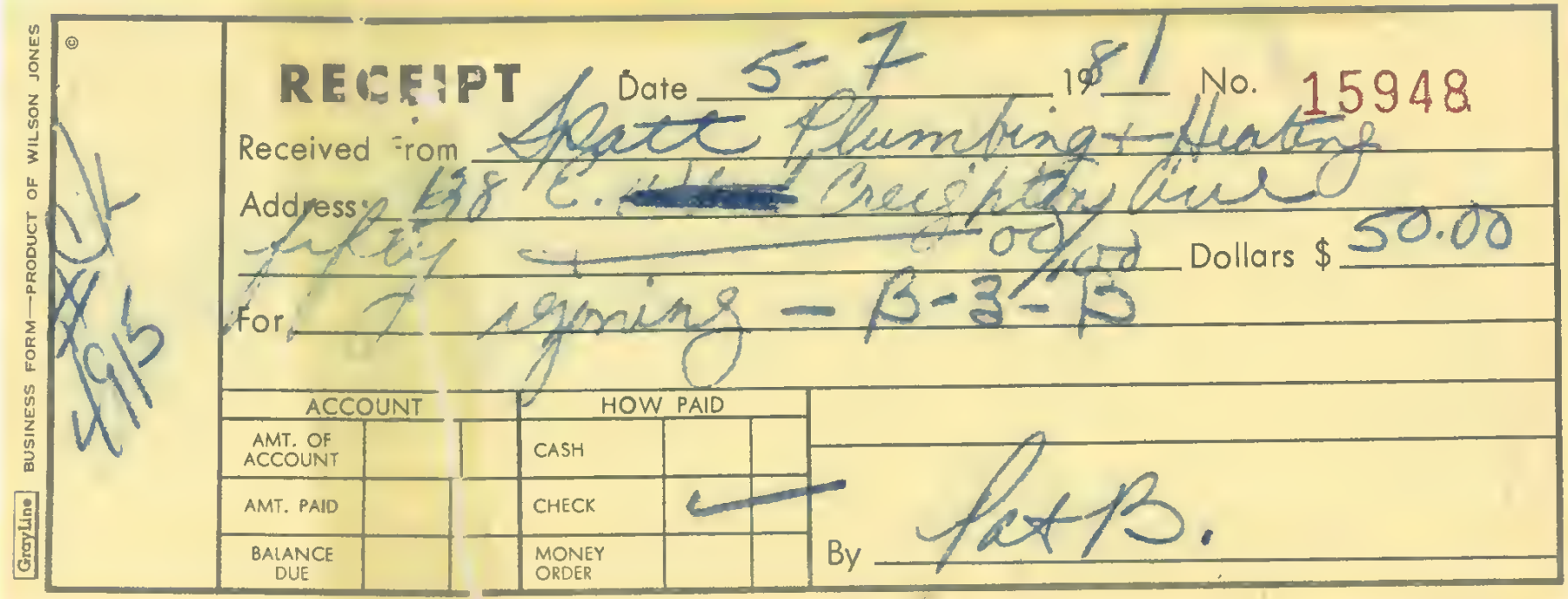
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 22, 1981.

Certified and signed this
24th day of June 1981.

Dennis J. Grotrian
Secretary



RECEIPT

Date 5-7 19 81 No. 15948

Received From Scott Plumbing + Heating

Address 138 E. [redacted] Creighton Ave

Fifty + 00/100 Dollars $ 50.00

For Forgoing - B-3-B

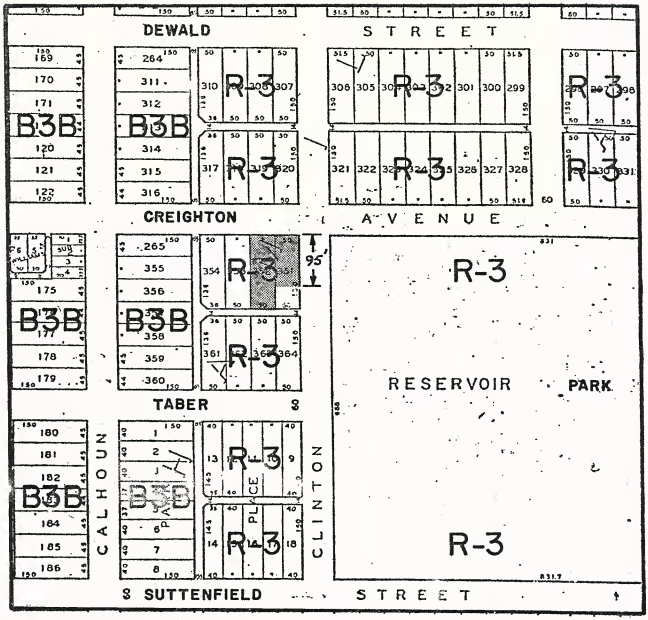
ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	✓	
BALANCE DUE			MONEY ORDER		

By Pat B.

BUSINESS FORM—PRODUCT OF WILSON JONES

Gray-Line

©



ZONING RECLASSIFICATION FROM AN R-3 TO AN B3B DISTRICT.

MAP NO. M-3

Z-81-05-23

BY G.R. LAX 5-11-81

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Louie A. Spatt and Edna I. Spatt, Husband and Wife, and Hacienda Homes, Inc., by
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3 District to a/an B-3 District the property described as follows:

The North Ninety-Five (95) feet of Lot Numbered Three Hundred Fifty-One (351) in Hamilton's Fourth Addition to the City of Fort Wayne, Allen County, Indiana, and also Lot Three Hundred Fifty-Two (352) in Hamilton's Fourth Addition to the City of Fort Wayne, Allen County, Indiana.

(Legal Description) If additional space is needed, use reverse side.

128 E. Creighton Avenue, Fort Wayne, Indiana, 46803.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
Louie A. Spatt	128 E. Creighton Avenue Fort Wayne, Indiana 46803	
Edna I. Spatt	128 E. Creighton Avenue Fort Wayne, Indiana 46802	
Hacienda Homes, Inc., by	4006 Goshen Rd	

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinan being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whic it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matt for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
Michael R. McEntee	1900 Fort Wayne Bank Building Fort Wayne, Indiana 46802	(219) 743-4451

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearir approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

The North Ninety-Five (95) feet of Lot Numbered Three Hundred Fifty-One (351) in Hamilton's Fourth Addition to the City of Fort Wayne, Allen County, Indiana, and also Lot Three Hundred Fifty-Two (352) in Hamilton's Fourth Addition to the City of Fort Wayne, Allen County, Indiana.

Owners of Property

(Name)	(Address)	(Signature)
Louie A. Spatt	128 E. Creighton Avenue Fort Wayne, Indiana 46803	
Edna I. Spatt	128 E. Creighton Avenue Fort Wayne, Indiana 46803	
Hacienda Homes, Inc., by		

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

5326

Admn. Appr._____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-81-05-23

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE The North 95' of Lot 351 and all of Lot 352 in Hamilton's Fourth Addition to the City of Fort Wayne, Allen County, IN.

EFFECT OF PASSAGE Property is now zoned R-3 - Multiple Family Residential. Property will become B-3-B - General Business District.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multiple Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)_____

ASSIGNED TO COMMITTEE (J.N.)_____

OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -:- room 122

July 22, 1981

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of July 25 and August 1, 1981, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Bill No. Z-81-05-04
Zoning Map Ordinance No. Z-20-81

Bill No. G-80-11-10
General Ordinance No. G-11-81

Bill No. Z-81-05-25
Zoning Map Ordinance No. Z-22-81

Bill No. Z-81-05-03
Zoning Map Ordinance No. Z-19-81

Bill No. Z-81-03-36
Zoning Map Ordinance No. Z-18-81

Bill No. Z-81-05-21
Zoning Map Ordinance No. Z-21-81

Please send us 22 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,
Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

AN EQUAL OPPORTUNITY EMPLOYER

LEGAL NOTICE

Notice is hereby given that on the 14th day of July, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-05-04 -- Zoning Map Ordinance No. Z-20-81, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-2

Notice is hereby given that on the 14th day of July, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. G-80-11-10 --General Ordinance No. G-11-81, being AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a portion of Dodge Avenue

Notice is hereby given that on the 14th day of July, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-05-25 -- Zoning Map Ordinance No. Z-22-81, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-10

Notice is hereby given that on the 14th day of July, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-05-21 -- Zoning Map Ordinance No. Z-21-81, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-14

Notice is hereby given that on the 14th day of July, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-05-03 -- Zoning Map Ordinance No. Z-19-81, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. U-18

Notice is hereby given that on the 14th day of July, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-03-36 -- Zoning Map Ordinance No. Z-18-81 being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. U-18

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-81-05-04 -- Zoning Map Ordinance No. Z-20-81; Bill No. G-80-11-10 -- General Ordinance No. G-11-81; Bill No. Z-81-05-25 -- Zoning Map Ordinance No. Z-22-81; Bill No. Z-81-05-21 -- Zoning Map Ordinance No. Z-21-81; Bill No. Z-81-05-03 -- Zoning Map Ordinance No. Z-19-81; and Bill No. Z-81-03-36 -- Zoning Map Ordinance No. Z-18-81, were passed by the Common Council on the 14th day of July, 1981, said Ordinances were signed and approved by the Mayor on the 20th day of July, 1981, and remains on file and on record in my office.

Copies of Bill No. Z-81-05-04 -- Zoning Map Ordinance No. Z-20-81; Bill No. G-80-11-10 -- General Ordinance No. G-11-81; Bill No. Z-81-05-25 -- Zoning Map Ordinance No. Z-22-81; Bill No. Z-81-05-03 -- Zoning Map Ordinance No. Z-19-81; and Bill No. Z-81-03-36 -- Zoning Map Ordinance No. Z-18-81 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana: also Bill No. Z-81-05-21 -- Zoning Map Ordinance No. Z-21-81.

(1) The main floor of the City-County Building

(2) The bulletin board in the lobby of Downtown Fort Wayne Public Library

(3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-81-05-04 -- Zoning Map Ordinance No. Z-20-81; Bill No. G-80-11-10 -- General Ordinance No. G-11-81; Bill No. Z-81-05-25 -- Zoning Map Ordinance No. Z-22-81; Bill No. Z-81-05-03 -- Zoning Map Ordinance No. Z-19-81; and Bill No. Z-81-03-36 -- Zoning Map Ordinance Z-18-81 will be available for reading in the following places in Fort Wayne, Allen County, Indiana. Also Bill No. Z-81-05-21 -- Zoning Map Ordinance No. Z-21-81.

(1) Reference Room in the north end of the main floor in said Downtown Public Library

(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on July 24, 1981

Charles W. Westerman
City Clerk